Application No.: 10/539,402 Docket No.: MXI-352US

#### **REMARKS**

#### i) Status of the Claims

Claims 1-22 are pending in the application. Claims 1-22 are hereby cancelled without prejudice. New claims 23-31 are added. Accordingly, upon entry of the amendments presented herein, claims 23-31 will remain pending in the application. Support for these amendments can be found in the application as originally filed. Applicants reserve the right to pursue the claims as originally presented in one or more continuing application(s). No new matter has been added.

## ii) <u>Elections/Restrictions</u>

The Examiner has required restriction of the claims to 1 of 294 inventions. Applicants hereby elect, <u>Invention 13</u> (claims 3 and 4 corresponding to SEQ ID NO:15), without traverse. New claims 23-31 and are all linked by generic claim 23, which contains the limitations of original claims 3 and 4. Thus, claims 23-31 represent a single inventive concept encompassed by Invention 13.

### ii) Notice to Comply

In response to the Notice to Comply, a new computer readable Sequence Listing and Replacement Drawings (Figures 7B, 8B, and 9), in compliance with 37 CFR 1.821(g) and 37 CFR 1.821(e), are being filed concurrently herewith. Amendments to the Specification to add missing SEQ ID NOs are provided herein.

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# **CONCLUSION**

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. MXI-352US.

Dated: August 18, 2009 Respectfully submitted,

Electronic signature: /Andrew T. Wilkins/ Andrew T. Wilkins, Ph.D. Registration No. 64,753 LAHIVE & COCKFIELD, LLP One Post Office Square Boston, Massachusetts 02109-2127 (617) 227-7400 (617) 742-4214 (Fax) Attorney/Agent For Applicant